

## Message Text

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PAGE 01 USUN N 00438 01 OF 02 160017Z  
ACTION IO-13

INFO OCT-01 ISO-00 AF-08 ARA-06 EA-07 EUR-12 NEA-10 EB-08  
COME-00 TRSE-00 L-03 SIL-01 LAB-04 STR-04 AID-05  
CIAE-00 INR-07 NSAE-00 SP-02 OMB-01 /092 W  
-----160046Z 055529 /63

R 152300Z FEB 77  
FM USMISSION USUN NEW YORK  
TO SECSTATE WASHDC 2428  
INFO USMISSION EC BRUSSELS  
USMISSION GENEVA  
USMISSION OECD PARIS

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PARIS: PLEASE PASS TO DEPUTY ASSISTANT SECRETARY PREEG  
(CIME DELEGATION)

E.O. 11652: N/A  
TAGS: UN, EGEN, EINV  
SUBJECT: COMMISSION ON TRANS NATIONAL CORPORATIONS:  
SELECTION OF PRIVATE PERSONS TO ASSIST THE COMMISSION

REF: (A) STATE 029714 (B) USUN 309

1. SUMMARY: INFORMAL MEETING OF THE TNC COMMISSION ON  
FEB 14 TO DISCUSS THE SELECTION OF PRIVATE PERSONS TO  
ASSIST THE COMMISSION CONCLUDED INCONCLUSIVELY. DISCUSSION  
FOCUSED ON THE NUMBER OF PERSONS TO BE APPOINTED. ALTHOUGH  
SEVERAL OPTIONS CONSIDERED, US INSISTENCE ON LIMITING THE  
SIZE TO 15 IS SEEN AS ENDANGERING OTHER WEO CANDIDATES AND  
MAY RESULT IN OUR LOSING ONE OF THE TWO US CANDIDATES.  
ACCORDINGLY, MISSION RECOMMENDS THAT WE BE AUTHORIZED TO  
ACCEPT THE POSSIBLE COMPROMISE SIZE OF 16 OR, FAILING THAT,  
TO ACCEPT THE SIZE OF 19 AS PROPOSED BY THE CENTRE.  
END SUMMARY.

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PAGE 02 USUN N 00438 01 OF 02 160017Z

2. IN ACCORDANCE WITH REFTTEL B, THE TNC COMMISSION  
HAD AN INFORMAL SESSION ON FEB 14 TO DISCUSS THE SELECTION  
OF PRIVATE PERSONS TO ASSIST THE COMMISSION. MEETING WAS  
CHAIRIED BY TNC EXECUTIVE DIRECTOR SAHLGREN WHO REVIEWED  
THE BACKGROUND (WITHOUT MENTIONING THE INFORMAL CONSULTATIONS  
HELD DURING THE CODE OF CONDUCT MEETING), URGED EXPEDITIOUS

ACTION TO COMPLETE THE SELECTION PROCESS, AND DIRECTED THE DISCUSSION TO THE QUESTION OF THE NUMBER OF PERSONS TO BE SELECTED AND THEIR GEOGRAPHIC AND FUNCTIONAL DISTRIBUTION.

3. IN ACCORDANCE WITH INSTRUCTIONS, US REP STATED THAT WE WOULD NOT WISH TO INCREASE THE NUMBER OF PERSONS TO BE SELECTED ABOVE 15 AND, ALTHOUGH WE HAD SOME RESERVATIONS (I.E., THE ABSENCE OF A LDC BUSINESS REPRESENTATIVE), WE WERE PREPARED TO PROCEED ON THE BASIS OF THE FUNCTIONAL AND GEOGRAPHIC DISTRIBUTION IMPLICIT IN THE LIST OF 15 CANDIDATES PROPOSED BY THE CENTRE.

4. THE MEETING WAS WELL ATTENDED WITH SPOKESMEN OF ALL REGIONAL GROUPS PRESENT. THE FOLLOWING SUMMARIZES THEIR VIEWS:

(A) AFRICA: WOULD PREFER TO STICK TO THE LIMIT OF 15 BUT WITHIN THAT LIMIT, WOULD DEMAND AN ADDITIONAL AFRICAN POSITION TO BE TAKEN FROM THE DEVELOPED COUNTRY REPRESENTATIVES;

(B) LATIN AMERICA: WANTS TO INCREASE THE SIZE TO 19 ON THE BASIS OF THE FOUR ADDITIONAL NAMES PROPOSED BY THE CENTRE;

(C) ASIA: WANTS TO INCREASE THE SIZE TO 19 TO PROVIDE A BETTER BALANCE BETWEEN DEVELOPING AND DEVELOPED COUNTRY REPRESENTATION;

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PAGE 03 USUN N 00438 01 OF 02 160017Z

(D) SOVIET BLOC: WOULD PREFER 15 BUT IF THE SIZE IS INCREASED TO 19, WOULD INSIST ON AN ADDITIONAL POSITION FOR AN EAST EUROPEAN REPRESENTATIVE;

(E) WEST EUROPE: PREPARED TO ACCEPT THE EXPANSION OF THE SIZE TO 19 AS PROPOSED BY THE CENTRE. AS A POSSIBLE COMPROMISE, THE UK REP SUGGESTED INCREASING THE SIZE TO 16 IN ORDER TO ACCOMMODATE THE AFRICAN REQUEST.

5. GIVEN THIS DIVERGENCE OF VIEWS, THE MEETING WAS ADJOURNED FOR FURTHER INFORMAL CONSULTATIONS. ANOTHER SESSION WILL BE SCHEDULED FOR THE WEEK OF FEB 21-25 AT WHICH TIME EXECUTIVE DIRECTOR SAHLGREN HOPES TO FINALIZE THE LIST.

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PAGE 01 USUN N 00438 02 OF 02 160030Z  
ACTION IO-13

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CIAE-00 INR-07 NSAE-00 SP-02 OMB-01 /092 W  
-----160049Z 055652 /63

R 152300Z FEB 77  
FM USMISSION USUN NEW YORK  
TO SECSTATE WASHDC 2429  
INFO USMISSION EC BRUSSELS  
USMISSION GENEVA  
USMISSION OECD PARIS

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6. IN SUBSEQUENT INFORMAL CONVERSATIONS, THE FOLLOWING  
BECAME EVIDENT:

(A) THE G-77 WILL NOT ACCEPT PARITY IN GEOGRAPHIC  
DISTRIBUTION AND THUS THE CENTRE'S PROPOSAL OF 15 CANDIDATES  
(7 DEVELOPED, 7 LDC, AND ONE EAST EUROPEAN) IS NOT ACCEPTABLE.  
THEY WOULD GO ALONG WITH THE EXPANDED LIST OF 19 (8  
DEVELOPED, 10 LDC, AND ONE EAST EUROPEAN);

(B) ALL OTHER DELEGATIONS (AND THE CENTRE) VIEW  
BARBAR ALI AS A LEGITIMATE LDC BUSINESS REPRESENTATIVE AND  
WILL NOT SUPPORT US IN SEEKING AN ADDITIONAL LDC BUSINESS  
REP. FURTHER, SAHLGREN REEMPHASIZED THE INSISTENCE OF  
TRADE UNION REPS ON PARITY WITH BUSINESS REPS AND ARGUED  
THAT IT WOULD THUS NOT BE POSSIBLE TO ADD ANOTHER BUSINESS  
REPRESENTATIVE;

(C) THE EAST EUROPEANS WOULD PROBABLY ACCEPT AN  
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PAGE 02 USUN N 00438 02 OF 02 160030Z

EXPANSION TO 16 WITHOUT ASKING FOR AN ADDITIONAL REP;

(D) THE LATIN AMERICANS WOULD LIKE TO PUT SOMALIA  
ON THE LIST WITHOUT, IF POSSIBLE, SACRIFICING ANOTHER  
LATIN AMERICAN CANDIDATE;

(E) THE EUROPEANS ARE CONCERNED THAT ANY READJUSTMENT FOR GEOGRAPHICAL BALANCE WITHIN THE LIMIT OF 15 WILL BE AT THEIR EXPENSE, MOST LIKELY THE FRG OR DUTCH CANDIDATE;

(F) ALTHOUGH NOT FORMALLY RAISED, SEVERAL DELEGATIONS HAVE HINTED AT THE INEQUITY OF ONE COUNTRY (READ US) HAVING TWO CANDIDATES ON THE LIST.

7. ON FEB 15, DUTCH MISSION TO THE UN MADE A FORMAL APPROACH TO USUN ARGUING THAT OUR INTRANSIGENCE ON THE SIZE AND COMPOSITION OF THE GROUP WAS JEOPARDIZING OTHER WEO CANDIDATES AND CREATING SERIOUS INTRA EC-9 PROBLEMS.

8. MISSION IS EQUALLY CONCERNED THAT IF THIS QUESTION IS NOT RESOLVED IN THE NEAR FUTURE, THE AS YET LATENT RESENTMENT ABOUT TWO US CANDIDATES WILL COME TO THE FORE AND WE MIGHT LOSE ONE OF THOSE TWO SLOTS.

9. IN VIEW OF ALL OF THE CONSIDERATIONS ABOVE, MISSION RECOMMENDS THAT WE BE AUTHORIZED:

(A) TO DROP OUR INSISTENCE ON AN ADDITIONAL OR NEW LDC BUSINESS REPRESENTATIVE;

(B) TO TRY TO WORK OUT AN EXPANSION OF THE GROUP TO 16 SO AS TO ACCOMMODATE THE AFRICAN DEMAND (ACCEPTING THE POSSIBILITY THAT THE LATIN AMERICANS MIGHT WISH TO PUSH SOMAVIA IN LIEU OF ONE OF THE OTHER LATIN AMERICAN CANDIDATES);

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PAGE 03 USUN N 00438 02 OF 02 160030Z

(C) FAILING THE ABOVE, TO ACCEPT THE 19 NAMES PROPOSED BY THE CENTRE WITH THE POSSIBILITY OF EXPANDING IT TO 20 IN ORDER TO ACCOMMODATE THE EAST EUROPEAN GROUP.

10. WE DO NOT BELIEVE THAT TIME IS ON OUR SIDE IN THIS EXERCISE. THERE IS A REAL DANGER THAT WE MAY EMERGE AS THE VILLAIN -- BLOCKING THE ESTABLISHMENT OF ANY GROUP AND CREATING ILL-WILL AMONG FRIEND AND FOE ALIKE -- AND THAT THIS MAY REDOUND TO OUR DISADVANTAGE IN OTHER TNC EXERCISES SUCH AS THE ILLICIT PAYMENTS WORKING GROUP.

11. MISSION WILL ALSO NEED INSTRUCTIONS ON THE MODALITIES OF PARTICIPATION BY PRIVATE PERSONS, ASSUMING AGREEMENT CAN BE REACHED ON THEIR COMPOSITION.  
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